

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2004-5 PM 10

**JAMES J. NIZZO and VIRGINIA C. NIZZO, As  
Joint Tenants, and CARLO CILIBERTI, On Behalf  
Of Themselves And All Others Similarly Situated,**

**Plaintiffs,**

**v.**

**BIOPURE CORPORATION, THOMAS A. MOORE,  
CARL W. RAUSCH and RONALD F. RICHARDS,**

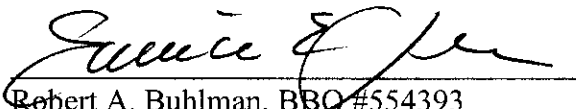
**Defendants.**

**CASE NO. 04-10065-NG**

**NOTICE OF APPEARANCE**

Pursuant to Local Rule 83.5.2(a), notice is hereby given of the appearance of Robert A. Buhlman and Eunice E. Lee of the law firm of Bingham McCutchen LLP, 150 Federal Street, Boston, Massachusetts, 02110, (617) 951-8000, as counsel for Defendants Biopure Corporation, Thomas A. Moore, Carl W. Rausch and Ronald F. Richards in the above-captioned matter.

Respectfully submitted,

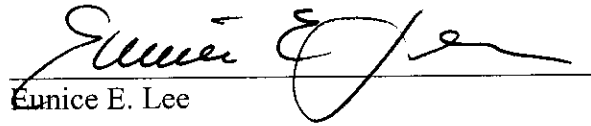


Robert A. Buhlman, BBO #554393  
Eunice E. Lee, BBO #639856  
BINGHAM McCUTCHEN LLP  
150 Federal Street  
Boston, MA 02110  
(617) 951-8000

Dated: February 5, 2004

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorney of record for each party by regular mail, on February 5, 2004.

  
Eunice E. Lee